## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA	0.0700400	
Plaintiff,		) 8:07CR188 )	
	vs.	) DETENTION ORDER	
JO	SE A. HERNANDEZ,		
	Defendant.	}	
A.	Order For Detention After conducting a detention hearing pursua Act on June 12, 2007, the Court orders the a to 18 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reform bove-named defendant detained pursuant	
B.	The Court orders the defendant's detention  X By a preponderance of the evide conditions will reasonably assure the	because it finds: ence that no condition or combination of appearance of the defendant as required. It no condition or combination of conditions	
C.	distribute methamphetan U.S.C. § 846 carries a mir and a maximum of life im distribute methamphetan violation of 21 U.S.C. § 84 five years imprisonme imprisonment.  (b) The offense is a crime of (c) The offense involves a na (d) The offense involves a la  (2) The weight of the evidence aga X (3) The history and characteristics (a) General Factors:  The defendant a may affect wheth The defendant h	es Report, and includes the following: e offense charged: y to distribute and possess with intent to nine and cocaine (Count I) in violation of 21 nimum sentence of ten years imprisonment prisonment; the possession with intent to nine (Count IV) and cocaine (Count V) in 41(a)(1) both carry a minimum sentence of ent and a maximum of forty years  violence. arcotic drug. rge amount of controlled substances, to with inst the defendant is high. of the defendant including: appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment.	
	X The defendant is X The defendant is X The defendant of ties. Past conduct of The defendant how The defendant is the condition of the defendant of the condition of the defendant is the defendant in the defendant is the defendant in the defendant is the defendant in the defendant in the defendant is the defendant in the defendant in the defendant is the defendant in the defendan	the defendant: as a history relating to alcohol abuse. as a significant prior criminal record.	

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	The defendant has a prior record of failure to appear at court proceedings.
(b)	At the time of the current arrest, the defendant was on:
	Supervised Release
	Parole
	Release pending trial, sentence, appeal or completion of
( )	sentence.
(C)	Other Factors:
	X The defendant is an illegal alien and is subject to
	deportation.
	The defendant is a legal alien and will be subject to
	deportation if convicted.
	X The Bureau of Immigration and Custom Enforcement
	(BICE) has placed a detainer with the U.S. Marshal.
	Other:

\_X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the Indictment.

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: June 12, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge